



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Jacob K. Javits Federal Building
26 Federal Plaza, 37th Floor
New York, New York 10278*

October 24, 2024

BY ECF

The Honorable Jennifer H. Rearden
United States District Judge
500 Pearl Street
Southern District of New York
New York, New York 10007

Re: *United States v. Sergey Shestakov*, 23 Cr. 16 (JHR)

Dear Judge Rearden:

The Government writes in response to defendant Sergey Shestakov's October 17, 2024 letter requesting an *ex parte* conference to apprise the Court of "specific elements of the defense strategy." (Dkt. 170). Consistent with the practice in this District, the Government does not oppose an *ex parte* defense conference to discuss defense theories that could affect the Court's analysis of the Government's motion under Section 4 of the Classified Information Procedures Act. The Government, however, opposes the defense raising its baseless discovery allegations with the Court in an *ex parte* setting. As the Government has repeatedly stated, (Dkts. 155 & 165), if the defendant seeks relief for any claimed discovery violations, he should file a motion, to which the Government can respond.

Respectfully submitted,

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Cc: Defense Counsel (by ECF)